

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

MARQUIS FRANKLIN,

Plaintiff,

v.

JUDGE JOHN TIDWELL,

Defendant.

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CIVIL ACTION NO. 5:24-CV-103-RWS-JBB

ORDER

Plaintiff Marquis Franklin, an inmate of the Bowie County Jail proceeding *pro se*, filed this civil rights lawsuit complaining of alleged violations of his rights. Docket No. 1. The lawsuit was referred to the United States Magistrate Judge.

On April 23, 2025, the Magistrate Judge issued a report and recommendation, recommending that Plaintiff's above-referenced lawsuit be dismissed without prejudice for failure to prosecute or to obey an order of the Court. Docket No. 4. Plaintiff received a copy of the Report and Recommendation on April 25, 2025, but has filed no objections to date. Docket No. 5. Accordingly, he is barred from de novo review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *Duarte v. City of Lewisville*, 858 F.3d 348, 352 (5th Cir. 2017).

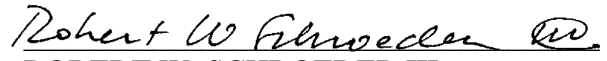
The Court has reviewed the pleadings in this cause and the Report and Recommendation of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (where no objections to a magistrate judge's report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law"). Accordingly, it is

ORDERED that the Report and Recommendation of the Magistrate Judge (Docket No. 4) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the above-styled civil rights lawsuit is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute or to obey an order of the Court. It is further

ORDERED that any and all motions which may be pending in this civil action are hereby **DENIED**.

So ORDERED and SIGNED this 30th day of May, 2025.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE